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In re Application of
JOHNSEN, Lars
Application No.: 09/936,820
PCT No.: PCT/DK00/00121
Int. Filing Date: 17 March 2000
Priority Date: 18 March 1999
Attorney Docket No.: 66386-272-7
For: A LID FOR CLOSING A CONTAINER

DECISION ON
PETITION
UNDER 37 CFR 1.181

This decision is in response to applicant's "Submission of Declaration," filed on 18 March 2003. The 18 March 2003 submission and the 28 March 2003 submission have been treated as a petition under 37 CFR 1.181. No petition fee is due.

BACKGROUND

On 17 March 2000, applicant filed international application PCT/DK00/00121. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 28 September 2000. A demand for international preliminary examination was filed 17 October 2000, prior to the expiration of nineteen months from the priority date. The deadline for entry into the national stage in the United States was thirty months from the priority date, 18 September 2001.

On 18 September 2001, applicant filed a transmittal letter for entry into the national stage in the United States accompanied by, *inter alia*, the basic national fee.

On 18 March 2003, applicant submitted "Submission of a Declaration," accompanied by a declaration and a postcard receipt.

On 28 March 2003, applicant submitted "Verification," stating that the declaration was a true copy of the original declaration.

DISCUSSION

MPEP at section 503 states, in part:

A postcard receipt which itemizes and properly identifies the papers which are being filed serves as *prima facie* evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO.

The 23 October 2001 postcard receipt lists, *inter alia*, the declaration. The postcard receipt is date stamped and indicates the applicant and the serial number.

The postcard receipt is adequate evidence the declaration was received on 23 October 2001.

The 28 March 2003 letter states that the declaration is a true copy of the 23 October 2001 submission and the statement is signed by someone registered to practice before the office.

A review of the declaration reveals that it is in compliance with 37 CFR 1.497(a)-(b) and that applicants have satisfied the requirements under 35 U.S.C. §371.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **GRANTED**.

Applicant is advised that, effective May 1, 2003, the Office is changing its correspondence address. Any further correspondence deposited with the United States Postal Service on or after May 1, 2003 should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision. The 35 U.S.C. §371(c) date is 23 October 2001.



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